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★ AUG 03 2005 ★

LONG ISLAND OFFICE

RPD:CPK
F.# 2004R02631

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

FREDERICK AMERSON and
ELVIRA DATO,

Defendants.

S U P E R S E D I N G
I N D I C T M E N T

Cr. No. 05-301(S-1)(ADS)
(T. 18, U.S.C., §§
924(c)(1)(A)(ii),
1951(a) and 3551
et seq.)

- - - - - X

THE GRAND JURY CHARGES:

COUNT ONE

(Hobbs Act Robbery Conspiracy)

On or about and between February 6, 2004 and December 18, 2004, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants FREDERICK AMERSON and ELVIRA DATO did knowingly and intentionally conspire to obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of commercial establishments in Long Island, New York, Allentown, Pennsylvania, Bethlehem, Pennsylvania and Westport, Connecticut.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWO

(Hobbs Act Robbery)

On or about February 6, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and

intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of The Flower Girl Florist, Deer Park, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT THREE
(Hobbs Act Robbery)

On or about February 6, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of Bullwinkle's Cards, Huntington Station, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FOUR
(Hobbs Act Robbery)

On or about February 20, 2004, within the Eastern District of New York, the defendants FREDERICK AMERSON and ELVIRA DATO did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of Christopher's Pastries, Garden City Park, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FIVE
(Hobbs Act Robbery Attempt)

On or about March 6, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally attempt to obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of Calliope Clothing, Merrick, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT SIX
(Hobbs Act Robbery)

On or about March 12, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of Roselli's Bakery, Franklin Square, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT SEVEN
(Hobbs Act Robbery)

On or about March 22, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of Vitamin Shoppe, Stony Brook, New York.

(Title 18, United States Code, Sections 1951(a) and 3551

et seq.)

COUNT EIGHT
(Hobbs Act Robbery)

On or about April 3, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of Entenmann's Bakery, East Meadow, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT NINE
(Hobbs Act Robbery)

On or about July 31, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of Scribbles, Port Jefferson Station, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TEN
(Hobbs Act Robbery)

On or about September 8, 2004, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by the robbery of

Steiner's Bakery, Manhasset, New York.

(Title 18, United States Code, Sections 1951(a) and 3551
et seq.)

COUNTS ELEVEN THROUGH SEVENTEEN
(Use of a Firearm During Crimes of Violence)

On or about the dates set forth below, within the Eastern District of New York, the defendant FREDERICK AMERSON did knowingly and intentionally use and carry a firearm, to wit: a .38 caliber Smith & Wesson revolver, during and in relation to the crimes of violence set forth below, and did knowingly and


intentionally possess that firearm in furtherance of those crimes of violence:

COUNT	DATE	CRIME OF VIOLENCE
11	February 6, 2004	COUNT 2
12	February 6, 2004	COUNT 3
13	February 20, 2004	COUNT 4
14	March 6, 2004	COUNT 5
15	March 12, 2004	COUNT 6
16	March 22, 2004	COUNT 7
17	April 3, 2004	COUNT 8

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 3551 et seq.)

A TRUE BILL


FOREPERSON


ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No. 05-301(S-1)(ADS) Action: _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL *Division*

THE UNITED STATES OF AMERICA

vs.

FREDERICK AMERSON and EL VIRA DATO,

Defendants

SUPERSEDING INDICTMENT

T. 18, U.S.C. §§ 924(c) (1) (A) (ii),
1951(a) and 3551 et seq.

A true bill.

Foreman

[Signature]
Foreman

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Charles P. Kelly, Assistant U.S. Attorney (631-715-7866)